

LHD FACILITIES AND EQUIPMENT

FACILITY OWNERSHIP

Requirements for Local Health Departments' (LHDs') facilities that are owned by fiscal courts are found in Administrative Regulation Title [902 KAR 8:160](#), Section 7.

When necessary and expedient, health departments may rent space using standard lease agreements reviewed and approved by the Department for Public Health (DPH), Administration and Financial Management Division, prior to implementation.

DPH shall be contacted for guidance and assistance should a health department build a facility or lease space from or in conjunction with other public agencies, non-profit agencies, and/or health care providers. This shall be done to assure that the assets and interests of the health department are protected and that the LHD is in compliance with provisions of [OMB Circular A-87](#).

When incurring a building or facility debt, the LHD may make use of other funds with the approval of their board of health and DPH. To retire a building or facility debt in excess of the annual anticipated revenue of the health department less annual expenses, the board of health shall comply with [Section 158 of the Kentucky Constitution](#) which limits such indebtedness to 2% of the value of the taxable property of the county.

For requirements for disposition of assets, surplus, or excess property, see Administrative Regulation title [902 KAR 8:170](#), Section 8.

FACILITY STRUCTURAL REQUIREMENTS

Facility structural requirements for all LHDs' facilities, whether owned or leased by the LHD are:

- Compliance with applicable state and local building, fire, and safety codes and ordinances as stated in [902 KAR 8:160, Section 8 \(2\)](#);
- Compliance with federal [HIPAA](#) statutes;
- Accessibility for the disabled and compliance with the [Americans With Disabilities Act \(ADA\)](#) if patients or the public are seen in the facilities;
- Compliance with [Occupational Safety and Health Administration \(OSHA\)](#) by having developed plans which address emergency evacuation procedures and fire prevention and control for each facility;
- Compliance with federal mandates that all local health department clinic sites be smoke free.

The Administrative Regulation Title [902 KAR 8:160](#), Section 8 (3), addresses construction or modification requirements for an X-ray room.

CAPITAL CONSTRUCTION REQUIREMENTS

Administrative Regulation Title [902 KAR 8:160](#), Section 8, outlines construction requirements for new construction, building expansion, or renovation projects that are funded by the cabinet.

Prior to implementation, plans and specifications for the project as well as contracts and agreements for architects and contractors shall be submitted to the DPH for review and approval. Written assurances regarding construction and cost overruns shall also be submitted. Quarterly status and progress reports are required along with a closing report upon completion of the project.

CAPITAL EXPENDITURES

The Administrative Regulation Title [902 KAR 8:170, Section 4](#), governs expenditure policies.

If a LHD has funding for capital items available in a local restricted fund, the LHD may budget and expend the funds as approved by the DPH in the written plan establishing the fund, [902 KAR 8:170 Section 3 \(3\)\(c\)](#).

The plan shall be in compliance with [OMB Circular A-87](#) (referenced in Administrative Regulation Title [902 KAR 8:170, Section 4](#)), that may be viewed at the US Office of Management and Budget website. For additional guidelines on Capital Expenditures, "Financial Planning and Budget Preparation", see VOLUME I, FINANCIAL MANAGEMENT of the AR.

FACILITY DESIGN AND LAYOUT

Newly constructed local health department service sites and LHDs being renovated shall be designed in such a manner as to promote patient flow and convenience, accessibility, privacy and comfort. LHDs shall consider federal Health Insurance Portability and Accountability Act ([HIPAA](#)) privacy and confidentiality requirements and Communicable Disease requirements as part of design planning. Safety and convenience of staff and accommodation of future growth shall also be important design considerations.

Plans and specifications for each cabinet funded project must be submitted to the DPH for review and approval, per [902 KAR 8:160](#).

The LHD must involve DPH, Division of Administration and Financial Management, in the planning process for new construction or expansion of local health departments.

FACILITY SAFETY

LHD Facility Safety Guidelines are:

- Each local health department (LHD) must, in accordance with federal guidelines, have posted throughout the facility a floor plan depicting emergency exits and escape routes;
- Each LHD facility must ensure that emergency equipment (e.g.: fire extinguishers, emergency exit signs, automated defibrillators, emergency lighting, etc.) is checked and

maintained in good working order at all times. See PUBLIC HEALTH PRACTICE REFERENCE, Emergencies Section, for more detailed information;

- Each LHD is strongly encouraged to schedule periodic inspections by local fire, police, and emergency management officials to identify fire and safety hazards and take appropriate measures to correct them;
- Each LHD facility must have an appointed individual who shall ensure compliance with all facility safety guidelines as well as life and safety codes.

USE OF FACILITIES

LHD facilities shall be used for:

- Patient oriented health services;
- Group or community education and health promotion services;
- Administrative, clinical and environmental health department staff working space;
- Medical contractors performing services for the health department;
- Office space for district plumbing inspector, in accordance with [KRS 211.365](#), if requested, however, phone expenses and office supplies, etc., are not part of the state requirement.

LHD facilities may be used for any community activity/service which makes a positive contribution to improving the health and safety of the community on a continuing or temporary basis with board approval. LHD staff should ensure the board is aware of any potential liability issues prior to decision making.

LHD facilities, quarters, or personnel may not be used for contracted physicians providing clinical services or acting as medical consultants in pursuit of their private practices (except when approved by the board in public health disaster/emergency conditions or other community crisis situations with a foreseeable endpoint). They may not be used for donation of space, on an ongoing basis, to another agency for its operations. This provision includes rental of space below actual cost, as implied by [OMB Circular A-87](#).

INSURANCE REQUIREMENTS

Insurance requirements for LHDs are found in Administrative Regulation Title [902 KAR 8:160](#), Section 9.